

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 1/30/20

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UNITED STATES OF AMERICA :

- v. - :

MOHAMMED Z. ALAM, :

Defendant. :

CONSENT PRELIMINARY ORDER
OF FORFEITURE/
MONEY JUDGMENT

S2 11 Cr. 108 (KMW)

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WHEREAS, on or about April 30, 2012, MOHAMMED Z. ALAM (the "defendant"), was charged in a five-count superseding Information, S2 11 Cr. 108 (KMW) (the "Information"), with participating in a conspiracy to commit credit card fraud, in violation of Title 18, United States Code, Section 1029(b)(2) (Count One); credit card fraud, in violation of Title 18, United States Code, Sections 1029(a)(5) and 2 (Count Two); participating in a bank fraud conspiracy, in violation of Title 18, United States Code, Section 1349 (Count Three); participating in a conspiracy to traffic in false identification documents, in violation of Title 18, United States Code, Sections 1028(f) and (a)(2) (Count Four); and trafficking in counterfeit goods, in violation of Title 18, United States Code, Section 2320(a) (Count Five);

WHEREAS, the Information included a forfeiture allegation as to Counts One through Five of the Information, seeking forfeiture to the United States, pursuant to Title 18, United States Code, Section 982(a)(2), of any property

constituting or derived from proceeds obtained directly or indirectly as a result of the offenses charged in Counts One through Five of the Information;

WHEREAS, on or about April 30, 2012, the defendant pled guilty to Counts One through Five of the Information, pursuant to a plea agreement with the Government, wherein the defendant admitted the forfeiture allegation with respect to Counts One through Four and agreed to forfeit to the United States, pursuant to Title 18, United States Code, Section 982, a sum of money representing the proceeds traceable to the commission of the offenses charged in Counts One through Four of the Information;

WHEREAS, the defendant consents to the entry of a money judgment in the amount of \$112,000 in United States currency representing the amount of proceeds traceable to the offenses charged in Counts One through Four of the Information that the defendant personally obtained; and

WHEREAS, the defendant admits that, as a result of acts and/or omissions of the defendant, the proceeds traceable to the offenses charged in Counts One through Four of the Information that the defendant personally obtained cannot be located upon the exercise of due diligence.

IT IS HEREBY STIPULATED AND AGREED, by and between the United States of America, by its attorney Geoffrey S. Berman,

United States Attorney, Assistant United States Attorney, KARIN PORTLOCK of counsel, and the defendant, and his counsel, DAVID E. LEVINE, Esq., that:

1. As a result of the offenses charged in Counts One through Four of the Information, to which the defendant pled guilty, a money judgment in the amount of \$112,000 in United States currency (the "Money Judgment"), representing the amount of proceeds traceable to the offenses charged in Counts One through Four of the Information that the defendant personally obtained, shall be entered against the defendant.

2. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, this Consent Preliminary Order of Forfeiture/Money Judgment is final as to the defendant, MOHAMMED Z. ALAM, and shall be deemed part of the sentence of the defendant, and shall be included in the judgment of conviction therewith.

3. All payments on the outstanding money judgment shall be made by postal money order, bank or certified check, made payable, in this instance, to the United States Marshals Service, and delivered by mail to the United States Attorney's Office, Southern District of New York, Attn: Money Laundering and Transnational Criminal Enterprises Unit, One St. Andrew's Plaza, New York, New York 10007 and shall indicate the defendant's name and case number.

4. The United States Marshals Service is authorized to deposit the payments on the Money Judgment in the Assets Forfeiture Fund, and the United States shall have clear title to such forfeited property.

5. Pursuant to Title 21, United States Code, Section 853(p), the United States is authorized to seek forfeiture of substitute assets of the defendant up to the uncollected amount of the Money Judgment.

6. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate or dispose of forfeitable property, including depositions, interrogatories, requests for production of documents and the issuance of subpoenas.

7. The Court shall retain jurisdiction to enforce this Consent Preliminary Order of Forfeiture/Money Judgment, and to amend it as necessary, pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure.

8. The Clerk of the Court shall forward three certified copies of this Consent Preliminary Order of Forfeiture/Money Judgment to Assistant United States Attorney Alexander J. Wilson, Co-Chief of the Money Laundering and

Transnational Criminal Enterprises Unit, United States Attorney's
Office, One St. Andrew's Plaza, New York, New York 10007.

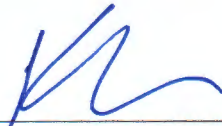
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9. The signature page of this Consent Preliminary Order of Forfeiture/Money Judgment may be executed in one or more counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument.

AGREED AND CONSENTED TO:

GEOFFREY S. BERMAN
United States Attorney for the
Southern District of New York

By:


KARIN PORTLOCK
Assistant United States Attorney
One St. Andrew's Plaza
New York, NY 10007
(212) 637-1589

1/29/20
DATE

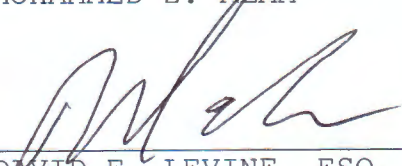
MOHAMMED Z. ALAM

By:


MOHAMMED Z. ALAM

1/29/20
DATE

By:


DAVID E. LEVINE, ESQ.
Attorney for Defendant
186 Joralemon Street, Suite 9
Brooklyn, NY 11201

1-29-20
DATE

SO ORDERED:

Kimba M. Wood
HONORABLE KIMBA M. WOOD
UNITED STATES DISTRICT JUDGE

1-29-20
DATE